

РЕЛИГИОВЕДЕНИЕ

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On the theoretical legacy of Abū 'l-Ḥasan al-Māwardī

T. G. Tumanian

St. Petersburg State University,
7–9, Universitetskaya nab., St. Petersburg, 199034, Russian Federation

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The article examines some aspects of the theoretical legacy of Abū 'l-Ḥasan al-Māwardī, a medieval Islamic theologian and jurist. This prominent scholar, who lived a long and eventful life, wrote a number of works that left a noticeable mark in the political and legal thought of Islam. Al-Māwardī also wrote several significant treatises in Islamic theology and Jurisprudence. Among them are works devoted to commenting on the Qurʾān — *Nukat wa'l-'uyūn [Tafsir al-Māwardī]*, *'Amthāl al-Qurʾān*, as well as a treatise on Prophethood — *'Alām al-Nubuwwa*. Another important but still insufficiently studied treatise of al-Māwardī on Jurisprudence is called *Kitāb al-Ḥawī al-kabīr fī fiqh madhhab al-Imām al-Shāfi'ī*. It is generally accepted that al-Māwardī's essay called *al-'Iqnā'* made him famous in his lifetime. This legal guide to the Shafi'i law certainly strengthened the professional authority of al-Māwardī as the leading Shafi'i faqih and apparently contributed to the growth of his political influence in medieval Baghdad. Despite the merits and recognition of al-Māwardī as an authoritative connoisseur of Islam, his creative search was not limited to writing works on religious topics. Al-Māwardī's obvious interest in scientific disciplines was, in particular, confirmed in several studies on philology. He wrote at least two works on this subject: namely, *'Amthāl wa'l-ḥikam* and *Kitāb fī al-naḥw*. However, the scholars who study the heritage of al-Māwardī deal mainly with his socio-political works. Al-Māwardī was known as a gifted and experienced diplomat who repeatedly acted as a mediator in solving complex political problems. As an adviser for many years at the Abbasid court, al-Māwardī composed several works on the theory of state and governance, such as *al-Aḥkāṁ al-Sulṭāniyya*, *Qawānīn al-wuzarā' wa-siyāsāt al-mulūk*, as well as *Tashīl al-naẓar wa-ta'jīl al-ẓafar fī akhlāq al-malik wa-siyāsāt al-mulk* etc. These works, diverse not only in content, but also in genre, mainly reflect the essence of political processes of that time.

Keywords: Abū 'l-Ḥasan al-Māwardī, Islam, Governance, Islamic law, Theology, Philosophy, Caliphate, *Mirrors for Princes*, Būyids, Persian heritage.

The name of Arab scholar Abū 'l-Ḥasan al-Māwardī (974?–1058) is well-known to specialists studying the intellectual traditions of the Islamic Middle Ages. Al-Māwardī's works still attract the interest of researchers. His famous *al-Aḥkām al-Sultāniyya* long ago become a classical work in the field of public administration and rules of government in an Islamic state [1, p. 719]. In addition, this medieval Islamic jurist and theologian was the author of many other treatises, though their attribution is a controversial issue. For a long time, some works ascribed to al-Māwardī were neglected by the academic community. However, since the last quarter of the XX century, scholarly interest in al-Māwardī's legacy has been continuously growing. His treatises have been published and some of them have been translated into European languages.

At the same time, the theoretical legacy of al-Māwardī has not been studied comprehensively. There are many reasons for this, including the lack of solid evidence of authorship for several texts attributed to al-Māwardī. It is possible that one of the reasons for this was reluctance of the scholar himself to publicize his works. Ibn Khallikān (1211–1282) in his biblio-biographical dictionary *Wafayāt al-a'yān wa-'anbā' 'abnā' az-zamān*, reported that al-Māwardī allegedly did not publicize his works, opting to make them public only after his death [2, p. 585]. However, Ibn Khallikān's point of view is not supported by other sources and seems unconvincing. Nevertheless, skepticism about the authorship of al-Māwardī in some cases is expressed by modern scholars as well.

Abū 'l-Ḥasan 'Alī ibn Muḥammad ibn Ḥabīb al-Māwardī (also known in Latin as Alboacen) lived a long and eventful life. He wrote several significant works in Islamic theology (*kalām*) and jurisprudence (*fiqh*)¹. Among them are the commentaries on the Qur'an — *Nukat wa al-'uyūn [Tafsīr al-Māwardī]*², *'Amthāl al-Qur'an* [3, p. 64], as well as a treatise on Prophethood — *'Ālām al-Nubuwwa* [4]. Another very important but still insufficiently studied treatise of al-Māwardī on Fiqh is *Kitāb al-Ḥāwī al-kabīr [fi fiqh madhhab al-Imām al-Shāfi'i]*³. *Kitāb al-Ḥāwī al-kabīr* — “a work to which the author devoted decades of his life, and the principles and precepts (*usul* and *furu'*) set out have directly and indirectly influenced Muslim lives across the globe the centuries — languishes in comparative obscurity” [5, p. 125].

Al-Māwardī's work called *al-'Iqnā' fi al-fiqh al-Shāfi'i* [6] is not the most voluminous, but it is a very significant essay. It is generally accepted that *al-'Ikna* brought al-Māwardī a lifetime of fame. This legal guide to the Shafi'i law certainly strengthened the professional authority of al-Māwardī as the leading Shafi'i faqih and apparently contributed to the growth of his political influence in Baghdad, the capital of the Abbasid caliphate.

Though al-Māwardī was recognized as an authoritative expert on Fiqh, his competence spread far beyond the realm of religious issues. He was also interested in philology and wrote at least two works on this subject: *'Amthāl wa'l-ḥikam* [7] and *Kitāb fi 'l-naḥw* — A book of grammar [3, p. 64]. However, the scholars who study the heritage of al-Māwardī deal mainly with his socio-political works.

¹ For more information on the works of al-Māwardī, see: [3, p. 64–68].

² The treatise *al-Nukat wa 'l-'uyūn* is also known as *al-Nukat wa 'l-'uyūn: Tafsīr al-Māwardī*. In 1982 the work was published in 4 volumes by the Ministry of al- auqaf wa 'l-sh'un al-islamiyya, Kuwait. In 1990s this work of al-Māwardī was published in 6 volumes by the Bayrūt publishing house Dār al-Kutub al-'Ilmiyya under the title *al-Nukat wa 'l-'uyūn: Tafsīr al-Māwardī*.

³ In 1994 the Arab publishing house Dar al-Fikr published the work of al-Māwardī *Kitāb al-Ḥāwī al-kabīr* in 22 volumes. In 2009 the publishing house Dār al-Kutub al-'Ilmiyya (Bayrūt) published *Kitāb al-Ḥāwī al-kabīr fi fiqh madhhab al-Imām al-Shāfi'i* in 20 volumes.

Al-Māwardī was involved not only in theology and jurisprudence. He was also known as a talented and experienced diplomat who repeatedly acted as a mediator in solving complex political problems⁴. Being an adviser at the Abbasid court for many years, al-Māwardī composed works on the theory of state and law aiming to create a holistic view on the power system in the caliphate. It would not be an exaggeration to say that as a political figure, al-Māwardī tried to justify politics with Shari'a norms, and as a scholar he enriched political and legal thought with pragmatic realism.

Al-Māwardī wrote several treatises on the state and governance. These works of different genres mainly reflect actual political processes of the time. Some researchers note that the initial period of al-Māwardī's literary activity is characterized by a strong influence of the Persian political tradition, which was caused particularly by the seizure of power in Baghdad by the Iranian Shi'ite dynasty of the Būyids (945–1055) and a significant limitation of the Abbasid caliphs' authority. The late period of al-Māwardī's activity as a theorist and writer was distinguished by a greater freedom and maturity of opinion, whereby he was able to identify the new realities of political development and link them with certain hopes for the caliphate's revival.

The assessment and periodization al-Māwardī's works above seems quite logical, but it is not perfect because proper confirmation is often absent. It is well known that the influence of the Persian political tradition on Arabic political culture goes back to the VIII century, largely due to the works of Ibn al-Muqaffa' [9, p. 151; 10, p. 68–73]. This dependence was significant also after al-Māwardī and can be easily traced in a number of well-known works of later thinkers. That is why it seems more reasonable to discuss the works of this author in terms of genre attribution.

The influence of Persian literary heritage on al-Māwardī's works is undeniable. Particularly, it can be traced in his works written in the didactic tradition or the literature of advice (Arabic *naṣīḥa*), in the genre, which is usually called "Mirrors for Princes"⁵. Modern scholars attributed *Naṣīḥat al-mulūk* [11]⁶ as well as *Tashīl al-naẓar wa-ta'jīl al-ẓafar fi akhlāq al-malik wa-siyāsat al-mulk* [13] to al-Māwardī. The former is probably the earliest work written by al-Māwardī, whereas the latter apparently belongs to a more recent period. Nevertheless, both works are similar in content and the chosen format [14, p. 3].

Naṣīḥat al-mulūk instructs rulers on various aspects of public administration. The ambivalent character of this work was driven from the controversy between Islamic legal norms and ancient Persian views on the state and power, as well as by the depressing atmosphere of the religious and political life of Baghdad in those days. Al-Māwardī as an authoritative Shafi'i faqih "compiled these treatises under unusual political circumstances, at a time when the Būyid dynasty had control over the 'Abbasid caliphate and believed in their Persian origin" [14, p. 4]. As a result, this work reveals al-Māwardī's tangible com-

⁴ It is known that al-Māwardī more than once carried out rather delicate diplomatic missions of the caliph and discussed complex political issues with the Būyid and Seljuk rulers. Some of them are described by the medieval Islamic scholars Tādī al-dīn al-Subkī and Ibn al-'Athir. See, for instance: [8].

⁵ For more information on this literary genre, see, for example: [9, p. 148–164; 10, p. 67–83].

⁶ Despite the fact that the treatise has been published several times and has been the subject of scientific research, it continues to raise questions. Some scholars have suggested that al-Māwardī is not the author of this work. See, for example: [3, p. 66; 9, p. 439]. The recently published book "Advice for Kings: Wisdom and Politics in Iran in the Tenth Century. The *Naṣīḥat al-mulūk* of Pseudo-Māwardī" expands the range of research in the literary genre "Mirrors for Princes" [12].

mitment to the political principles of the Sasanian dynasty. He often relied on the rules, regulations, and behavior norms of the ancient Persian Empire.

There is yet another important source of al-Māwardī's political theory. Describing relations between society and power, al-Māwardī relied not only on the Persian heritage, but also made use of various metaphorical examples that go back to ancient Greek philosophy⁷. The ruler and society are considered as a single human organism, where “the king is the head... and people are other parts of a body”, and they are unable to exist separately from each other [11, p. 51–52]. A similar analogy can be traced in the European political and philosophical tradition since the time of Plato, so it is quite notable that al-Māwardī also used it — though generally he sought to distance himself from philosophy. There are two possible reasons why al-Māwardī made use of this “organicistic” view of the nature of the state. First, being a theologian and a scholar of religious law, he had to use obvious and simple analogies that would be convincing to everyone. Second, this analogy helped to justify the thesis that the structure of the state itself is not a static and soulless organism, but a union based on friendly communication. The latter view was probably inherited from Aristotle, who compared the state to a large family and considered the need to live in the state as a natural and rational desire. Al-Māwardī claimed that society must trust and obey the ruler, fully support and honor him, but society has no right to oppose or counteract him [11, p. 53].

Nevertheless, al-Māwardī admitted that some rulers might be unjust. He did not develop this matter in detail but dwelled on the issue of the state's decline (*fasād al-mamalik*). This problem was quite acute at the time, and al-Māwardī was deeply concerned with it. As a result, he discussed the origin of dark times (*fitna*) and possible ways to overcome it. He noticed that instability leads to the damage of religion (*fasād al-dīn*), hostility, greediness, destabilization of government, and finally to despotism. Only a *malik* (king, ruler) guided by the rules of government inherited from the Rightly-guided caliphs, as well as from the Persian empire, is able to maintain law and order in the state [11, p. 84].

Tashīl al-naẓar wa-ta'jīl al-ẓafar fī 'akhlāq al-malik wa-siyāsāt al-mulk was also compiled in the genre of the literature of advice. In this work, the scholar analyzed the issues of state evolution quite deeply and thoroughly. In fact, al-Māwardī was developing the concept of the formation and degradation of the state as an institution, highlighting the main phases of its life. The obvious parallels with similar ideas in Plato's *Republic* and Aristotle's *Politics* reveal that al-Māwardī's was well-aware of these works. Particularly, he claimed that the development of the state goes through a series of stages, the first of which is its origination. At this stage the holders of power control their subjects, mainly through brute force, intimidation, and threats. A distinctive feature of the next phase of development, according to al-Māwardī, is peace and stability. At this stage, a ruler is guided as far as possible by the principles of justice and a “soft” attitude. The last and third phase of development is characterized as despotism, and it is with this form of government that the state ultimately falls into decline and dies. Its renaissance or rebirth is possible only with the formation of appropriate conditions for beginning a new cycle [13, p. 254–255, 275–281].

Apparently, these views on the evolution of the state are based not only on theoretical knowledge and ideas, but also on the author's own experience. During his long life, al-Māwardī witnessed the evolution of the Būyid's emirate: he observed the early days,

⁷ Al-Māwardī in *Naṣīḥat al-mulūk* repeatedly refers to the legacy of Aristotle [11, p. 44, 84–85].

the blossom, and the end of this state. In *Tashīl al-naẓar wa-taʿjīl al-ẓaḡar*, al-Māwardī presented his view on the cyclical development of the state, anticipating the subsequent concept of historical cycles developed by Ibn Khaldūn. It is well-known that this illustrious Arab historian, who lived and wrote his great works several centuries later, was well acquainted with the works of al-Māwardī and appreciated them [15, p. 123].

In *Tashīl al-naẓar wa-taʿjīl al-ẓaḡar fī ʾakhlāq al-malik wa-siyāsāt al-mulk*, al-Māwardī addressed other issues that are contextually related to the development of the state and power relations. Since this work was intended to be a warning for a ruler, it discussed the ethical norms of the ruler's behavior — viewed mostly from a philosophical perspective.

Both *Naṣīḥat al-mulūk* and *Tashīl al-naẓar wa-taʿjīl al-ẓaḡar fī ʾakhlāq al-malik wa-siyāsāt al-mulk*, are of great interest as an example of the Adab literary genre. Besides, these works can be utilized as a source for a reconstruction of the social-political processes of that time. However, they contain no clear or well-articulated theory of state. The author's position in these works is expressed mostly in the form of speculations on moral issues or on the different aspects of the state and power. These speculations are based primarily on Persian and Ancient Greek political tradition — though al-Māwardī's consistent commitment to the principles of Islam is also evident in these works. To justify his views, the author provided examples from the history of the Arab world drawn from poetry; he often relied on the hadiths and *sunnah* of the Rightly guided caliphs, thus emphasizing the validity of the Islamic doctrine.

Al-Māwardī's contribution to the development of didactic literature is not limited to the works written for the mighty rulers. He also provided advice to other authority figures, particularly to the wazīrs for whom he wrote a special work which is known under different, though quite similar, titles: *al-Wizāra*, *ʾAdab al-Wuzarāʾ*, *Qawānīn [Qānūn] al-Wuzarāʾ*, *Qanun al-wizāra wa-siyāsāt al-mulūk*, *Qawānīn al-wuzarāʾ wa siyāsāt al-mulūk*⁸.

It is well-known that “by the end of the 3rd/9th century the wazirate had become an extremely important office” as a traditional institute of power in the Abbasid caliphate [17, p. 95]. A wazīr was the main and immediate assistant of the ruler, the person to whom the ruler entrusted a part of his authority and who, in fact, wielded all powers of the state. In *Qawānīn al-wuzarāʾ*, al-Māwardī discussed different classes of wazīrs, their status, power, and authority. He defined their administrative functions and singled out the two types of wazīrs: wazīr of “delegation” (*tafwīd*) and wazīr of “execution” (*tanfīdh*). The fundamental difference between them lied in the nature of governance and scope of powers entrusted to them by the ruler [16, p. 200–210]. Questions on the status, function, and the role of wazirate as an important political institute in the caliphate were elaborated in *al-Aḡkām al-sulṭāniyya*.

Despite the fact that the work *Qawānīn al-wuzarāʾ wa-siyāsāt al-mulūk* was published for the first time as early as the beginning of 20th century and has been repeatedly republished, it is still of great interest to scholars. Debates arise in regard to the title of the text, its authenticity, the immediate addressee of this essay, and the way it influenced further development of executive institutes in Islam.

⁸ According to the generally accepted (but not the only) opinion, this work of al-Māwardī was intended for Ibn al-Maslam, who served as a wazīr with the caliph al-Qaʾim (1031–1075). This, in particular, Ridwan al-Sayyid mentions in his introduction to *Qawānīn al-wuzarāʾ wa-siyāsāt al-mulk* [16, p. 10].

Adab al-dunyā wa 'l-dīn [18]⁹ treatise is another of al-Māwardī's work on socio-political and ethical issues, distinguished by depth and thoroughness of its analysis. The composition of this work is marked by the influence of the Persian literary tradition as well as Ancient Greek philosophy.

In *Adab al-dunyā wa 'l-dīn*, al-Māwardī did not focus on the ideal model of social relations (the so-called "Virtuous City"), contrary to al-Fārābī and other Arabic-speaking peripatetics. Conversely, he provided practical suggestions on how to reform society in the circumstances of moral impoverishment, and social and religious contradictions. He also explained the nature of human behavior and described appropriate ways to improve it. Blaming human relations of his days, the author attempted to invent a new social system and contribute to the rise of the perfect society built upon the pursuit of knowledge ('ilm). In particular, he described the principles of attaining goodness for an individual (sālāh ḥāl al-'insān) in the earthly life (sālāh ad-dunyā) based on the ideals of Islam. Elaborating his views, al-Māwardī emphasized the social nature of a human being. He explored human behavior in society using such notions as soul, intelligence, virtue, justice, responsibility, wisdom, education, and knowledge. He formulated the six major conditions for a Muslim to attain goodness in the earthly life. These consist of the following: religion that should be necessarily followed (dīn muṭṭaba'); strong power of the state (sulṭān qāhīr); universal justice ('adl shāmil); social safety ('amn 'amm); inexhaustible abundance [of worldly goods] (ḥisb da'im); gracious expectations ('amal fāsiḥ) [18, p. 152].

In *Adab al-dunyā wa 'l-dīn*, al-Māwardī justified the importance of all the conditions listed above. He claimed that they all contribute to political stability in the state that can be attained only under the government of a mighty ruler. Society needs a ruler of this kind because human nature is subject to passions that "turn one away from goodness, give rise to mean attitudes, reveal shameful acts... and set a person on the path of evil" [18, p. 28]. In other words, a human being is vain. A human's will to self-affirmation breeds the desire to subdue those who oppose him. This is a natural characteristic of a human being and therefore, only something that is more powerful prevents people from following their aspirations. This powerful force may appear as intelligence ("the basis for virtues and source of wit") [18, p. 13] and religion ("cleansing souls from lust") [18, p. 152] — or as a powerful authority. Giving credit to intelligence and religion, since "...intelligence is the root of faith and base of this world" [18, p. 13], al-Māwardī focuses his attention on the power of authority, because it is to a lesser degree subject to passions. By using power, authority can accommodate the variety of opinions, aspirations, and ambitions to achieve the main goal — order and stability in the society. However, brute force and even cruelty are necessary only in the early stage of society's development. Later on, when society becomes well-developed, the role of justice should increase.

Developing the idea of the state and power in *Adab al-dunyā wa 'l-dīn*, al-Māwardī, in fact, for the first time seriously raises the problem of the caliph's status. He focuses on the caliph's legitimacy, his function, as well as on his significance for the 'Ummah. Obviously, such a notable shift in the way of justifying caliph's power can be explained only by a continuous decline of the Būyid's dynasty. In this situation the presence of the caliph

⁹ This work of al-Māwardī was first translated and published by European scholars in the 1930s under the title *Das Kitab' Adab ed-Dunja wa-ddin*. Stuttgart: Oscar Rescher, 1932–1933. The funds of the Institute of Oriental Manuscripts of the Russian Academy of Sciences (St. Petersburg) contain one of the copies of *Adab al-dunyā wa 'l-dīn*. See: [19, p. 265].

(imam), not even the most righteous one, is a necessary condition for maintaining the unity of Muslims. At the same time, stability and prosperity of the 'Ummah are possible only in if the Imam strictly and inviolately carries out his duties. These and other issues are addressed in detail in *al-Aḥkām al-sulṭāniyya* [20], — the treatise written in the last years of al-Māwardī's life [21, p. 15].

Al-Aḥkām al-sulṭāniyya is the best-known work of al-Māwardī which deals with power and religious governance¹⁰. It is considered “the first attempt in the history of Islam of a comprehensive study on the theory of state, having constantly influenced the Islamic political thought till our time” [1, p.719]; or “...a key document for the theory of rule which came to be accepted by the jurist of the fifth century and after” [17, p.83]. Patricia Crone points out that “Al-Māwardī collected the rules pertaining to all aspects of government — the imamate, vizierate, taxation, judgeship, holy war, the treatment of rebels, market inspections, and more besides — from variety genres and put them together in a single book, which he called *al-Aḥkām al-sulṭāniyya*, the ordinances of government” [9, p.223]. It is in this work, that al-Māwardī, the first of the Islamic scholars, presented in a consistent way the most crucial points of that which in Western tradition is designated as state or constitutional law.

Kitāb al-Aḥkām al-sulṭāniyya is highly ranked in the history of Islamic political and legal thought. In two dozen chapters, al-Māwardī discusses different aspects of public administration and rules of government. The scholar further develops his views on political governance expressed in earlier works. In great detail he examines the institute of wazirate, highlighting the significance of 'amīr's power, legal proceedings, military aspects, taxes, etc. At the same time, only a small part of the treatise, its first chapter named *Fi 'aḥd al-'imāma*, is dedicated to political theory. This chapter sums up al-Māwardī's views on state and power, including the role and functions of the institute of the caliph (imam), requirements for the candidates, procedures of election, removal from power, etc.

Al-Aḥkām al-sulṭāniyya treatise was apparently recognized while al-Mawardi was still alive. This can be inferred from the fact that roughly in the same years when this treatise appeared, another work under a similar name and, what is more important, of a similar content was written by another prominent faqih from Baghdad — the Hanbalite Abu Ya'la ibn al-Farra' (990–1065). Actually, this work repeated the central ideas from al-Māwardī's treatise it serves as evidence that al-Māwardī was highly respected. Abu Ya'la ibn al-Farra' probably reworked al-Māwardī's treatise for Hanbalite use. Besides, it is indicative of some convergence between the views of two schools of jurisprudence. Despite this, almost a literal identity of the texts resulted in arguments about the attribution of *al-Aḥkām al-sulṭāniyya* to al-Mawardi¹¹.

In the course of time, al-Māwardī's works attracted more interest from Islamic scholars of the Middle Ages. His views became normative for the political doctrine of Islam and became an indispensable part of Arabic didactic and encyclopedic literature. His works were highly esteemed by theologians and legal scholars.

¹⁰ The treatise *al-Aḥkām al-sulṭāniyya* is perhaps the most studied work of al-Māwardī. It is well studied by both Western and Islamic scholars. The text of the book has been translated into European languages. See, for example: [22–24].

¹¹ The issue of *al-Aḥkām al-sulṭāniyya* authorship has long been the subject of scientific discussions and debates. Several special studies are devoted to it, where the authorship of Abū 'l-Ḥasan al-Māwardī is generally confirmed. See, for example: [25].

Al-Māwardī's theory of state and governance remained popular in later times as well. It is known that during the era of the Ottoman sultans' rule, Islamic scholars ('Ulamā') and politicians constantly appealed to *al-Aḥkām al-sulṭāniyya* with questions concerning the structure of the Islamic state and the role of the military forces. In the XIX century, colonial authorities expressed interest in al-Māwardī's works as they wanted to understand the Islamic legal system and power structures in the theocratic society. As a result, *al-Aḥkām al-sulṭāniyya* was translated into French, Dutch, and English.

Islamic reformers of the XIX to early XX centuries often appealed to al-Māwardī's teachings in their attempts to adapt the medieval concept of the state to the current political situation of their time.

In modern academic works al-Māwardī is traditionally ranked among Muslim scholars of the Islamic state and governance. It is generally accepted that his *al-Aḥkām al-sulṭāniyya* "is the most authoritative exposition of the Sunni political theory" [26, p. 151]. This book has been constantly referred to by subsequent scholars who study the teachings of the caliphate. Besides, it is still of great interest for the specialists in Islamic Law. Al-Māwardī's works have given an impetus to the development of different legal and political theories. The interest in his heritage is currently manifested both in Islamic and Western academic circles. Further studies of his works will contribute to a better understanding of the principles of the Islamic worldview, which is, indeed, an important task for future cross-cultural dialogue.

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Author's information:

Tigran G. Tumanian — Dr. Sci. in Philosophy, Professor; t.tumanyan@spbu.ru

К вопросу о теоретическом наследии Абу-л-Хасана ал-Маварди

Т. Г. Туманян

Санкт-Петербургский государственный университет,
Российская Федерация, 199034, Санкт-Петербург, Университетская наб., 7–9

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В статье предпринята попытка освещения теоретического наследия средневекового исламского богослова, юриста и политического деятеля Абу-л-Хасана ал-Маварди. Перу этого известного ученого принадлежит ряд произведений, которые оставили заметный след в правовой и политической мысли ислама. Как теолог и законовед ал-Маварди создал несколько значительных трактатов. К ним в первую очередь необходимо отнести объемный труд, посвященный комментированию Корана, — *ан-Нукат ва-л-'уйун: Тафсир ал-Маварди*. В работе под названием *'А лам ан-нубува* ал-Маварди рассмотрел вопросы, связанные с пониманием пророчества в исламе. Ал-Маварди принадлежит еще один трактат в области фикха — это капитальный и недостаточно изученный труд под названием *Китаб ал-хави ал-кабир [фи фуру' ал-фикх]*. Однако прижизненную известность ученому принесло небольшое сочинение под названием *ал-'Икна'*. Творческий поиск ал-Маварди далеко не исчерпывался написанием трудов на религиозные темы. Известно, что богослов проявлял интерес к филологическим дисциплинам, что

находит подтверждение в таких его работах, как *ал-'Амсал ва-л-хикам* и *Китаб фи ан-нахв*. Однако исследователи творчества ал-Маварди чаще обращаются к социально-политическим трактатам ученого. Хорошо известно, что профессиональная деятельность ал-Маварди состояла не только в изучении вопросов теологии и законоведения, но и в практическом применении своих знаний и таланта искусного дипломата на политическом поприще. Будучи на протяжении многих лет советником аббасидских халифов, ал-Маварди сочинял труды по теории государства и права. К таким работам следует отнести трактаты *ал-Ахкам ас-султаниййа ва-л-вилаят ад-диниййа*, *Каванин ал-визара ва-сийасат ал-мулк*, *Тасхил ан-назар ва-та'джил аз-зафар фи 'ахлак ал-малик ва-сийасат ал-мулк* и др. Эти произведения, разнообразные не только в содержательном, но и в жанровом отношении, во многом стали отражением существа политического процесса того времени.

Ключевые слова: Абу-л-Хасан ал-Маварди, ислам, власть, исламское право, теология, философия, халифат, князьи зерцала, Буиды, персидское наследие.

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Контактная информация:

Туманян Тигран Гургенович — д-р филос. наук, проф.; t.tumanyan@spbu.ru